

58

# **Notice of Allowability**

Application No.

10/613,484

Examiner

Lawrence B. Williams

Applicant(s)

KOERNER ET AL.

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Terminal Disclaimer filed on 22 December 2006.
2. ☐ The allowed claim(s) is/are 1-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
|---|---|

**TERMINAL DISCLAIMER**

1. The terminal disclaimer filed on 22 December 2006 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of US Patent 6,611,556 B1 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: The instant application discloses a system and method for monitoring the presence or absence of members of a defined set of members. The closest prior art of record is applicant's US Patent 6,611,556 B1 for which applicant has filed a terminal disclaimer. A search of prior art records fails to teach or suggest alone or in combination:

“a system for monitoring the presence or absence of members of a defined set of members, said system comprising: a plurality of senders each capable of asynchronously transmitting a uniquely encoded identification frame on a common communication channel to form a composite signal on said channel including identification frames from said plurality of senders, each sender being uniquely physically associated with a different one of said members; each of said senders including electronic circuitry for repeatedly transmitting a uniquely encoded identification frame comprised of alternating active and inactive intervals and where each uniquely encoded identification frame is characterized by a unique sequence of inactive interval durations; said electronic circuitry including a controller for controlling the duration of each of said inactive intervals; and a monitor responsive to said composite signal for recognizing individual identification frames therein for determining the presence or absence of an identification frame unique to each sender” as disclosed in claim 1.

“a system for detecting the presence or absence of one or more members from a defined set of members, said system comprising: a plurality of senders each capable of asynchronously transmitting a uniquely encoded identification frame on a common communication channel to form a composite signal on said channel including identification frames from said plurality of

Art Unit: 2611

senders, each sender configured to be uniquely physically associated with a different one of said members; each of said senders including a power supply, a transmitter configured to be driven by said power supply to generate a common carrier signal, and a controller for controlling said carrier signal to repeatedly transmit a uniquely encoded identification frame uniquely identifying the sender; each of said identification frames comprising a pulse identification pattern comprised of a sequence of quiet intervals, each of said quiet intervals being bounded by successive pulse intervals; and wherein the pulse identification pattern produced by each sender is characterized by a unique sequence of quiet interval durations; and a monitor for receiving said composite signal comprising multiple pulse identification patterns transmitted by said plurality of senders and for recognizing each different transmitted pulse identification pattern therein” as disclosed in claim 9.

“a method for determining whether or not each of a plurality of senders is present within a detection zone, comprising the steps of: causing each of said senders to generate a unique identification frame comprised of active and inactive intervals wherein the identification frame of each sender includes at least one pulse during each active interval and a unique ID sequence comprising a unique identification pulse pattern defining a unique sequence of inactive interval durations; causing each of said senders to repeatedly apply its identification frame to a common communication channel; allowing said plurality of senders to asynchronously apply their respective identification frames to said common communication channel to form a composite signal; causing each of said senders to introduce a common synchronization pulse pattern into each identification frame applied to said common communication channel; and processing said

Art Unit: 2611

composite signal to determine whether or not each sender has applied its unique identification frame to said common communication channel” as disclosed in claim 11.

“a system for monitoring the presence or absence of each of a plurality of senders within the detection zone of a monitor, said system comprising: each of said senders including a controller for generating an identification frame including first and second pulse patterns wherein said first pulse pattern is common to said plurality of senders and said second pulse pattern is comprised of a unique sequence of inactive interval durations uniquely associated with the generating sender; a common communication channel; said sender controllers being operable to asynchronously and repeatedly apply their respective identification frames to said communication channel to collectively form a composite signal on said channel; and a monitor coupled to said channel for processing said composite signal to separately identify each sender identification frame contained in said composite signal” as disclosed in claim 12.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

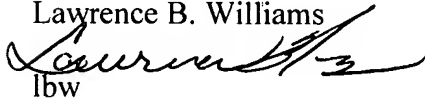
### **CONCLUSION**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence B Williams whose telephone number is 571-272-3037. The examiner can normally be reached on Monday-Friday (8:00-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ghayour Mohammad can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lawrence B. Williams



lbw

January 24, 2007



EMMANUEL BAYARD  
PRIMARY EXAMINER